

1 LAW OFFICES OF
2 MICHAEL O. HAYS (87440)
3 676 EAST FIRST AVE. #5
4 CHICO, CA 95926
5 TEL: 530-892-8916
6 FAX: 530-892-8015

7
8
9 ATTORNEY FOR DEBTORS
10
11
12
13
14

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In Re: WAKIN AND CECILIA DAVENPORT
11
12 DEBTOR(S)

Case No. 09-46883-E-13L
DC No. MOH-2

13 DATE: FEBRUARY 23, 2010
14 TIME: 1:00 PM
COURTROOM: 33
JUDGE SARGIS

15 DEBTORS' MOTION TO VALUE
16 COLLATERAL OF APEX FINANCIAL
MANAGEMENT

17 Debtors Wakin and Cecilia Davenport respectfully request a
18 determination that the value of the collateral securing their debt to
19 Apex Financial Management, namely heating and air conditioning units
20 and ductwork, has a value of \$6,000.00. The grounds for relief are as
21 follows:
22

23 1) Debtors contracted 2/20/07 with Gallaghers Heating and Air
24 Conditioning to have a new heating and air unit, or units, along with
25 ductwork, installed in their residence for the original sum of \$11,955.
26 with deferred interest. The debt was sold to GE Money Bank and is now
27 in the hands of Apex Financial Management. After two years and nine
28 months of use the units have substantially depreciated, and Debtors
29 believe that the resale value of the removed merchandise would not
30 exceed \$6,000.00 and respectfully request that the Court determine
31 \$6,000.00 to be the value of the collateral. The DECLARATION OF DEBTOR
32 Cecilia Davenport will be filed in support of this motion and is

1 hereby incorporated by reference as EXHIBIT A.

2 Respectfully submitted,

3 Date: 1/26/10

4 
MICHAEL O. HAYS
5 Attorney for Debtors

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32